

§ 428.22

determine the effectiveness and efficiency of the plan to disseminate information about the project and demonstrate project activities and results, including—

(1) High quality in its design and procedures for evaluating the effectiveness of the dissemination plan; and

(2) A description of the types of materials the applicant plans to develop and make available to help others replicate project activities, and the methods to be used to make the materials available.

(Approved by the Office of Management and Budget under Control No. 1830-0013)

(Authority: 20 U.S.C. 2441(b))

§ 428.22 What additional factors does the Secretary consider?

(a) After evaluating the applications according to the criteria in § 428.21, and consulting with the appropriate State board established under section 111 of the Act, the Secretary determines whether the most highly rated applications are equitably distributed among populations of individuals with limited English proficiency within the affected State.

(b) The Secretary may select other applications for funding if doing so would improve the—

(1) Equitable distribution of assistance among populations of individuals with limited English proficiency within the affected State; or

(2) Geographical distribution of projects funded under this program.

(Authority: 20 U.S.C. 2441(d)(5))

PART 429—BILINGUAL VOCATIONAL MATERIALS, METHODS, AND TECHNIQUES PROGRAM

Subpart A—General

Sec.

429.1 What is the Bilingual Vocational Materials, Methods, and Techniques Program?

429.2 Who is eligible to apply for assistance under this program?

429.3 What regulations apply to this program?

429.4 What definitions apply to this program?

34 CFR Ch. IV (7-1-01 Edition)

Subpart B—What Kinds of Activities Does the Secretary Assist Under This Program?

429.10 What types of projects may be funded?

429.11 How does the Secretary establish priorities for this program?

Subpart C—How Does One Apply for a Grant?

429.20 What must an application include?

Subpart D—How Does the Secretary Make a Grant?

429.30 How does the Secretary evaluate an application?

429.31 What selection criteria does the Secretary use?

AUTHORITY: Sec. 441(c) of the Carl D. Perkins Vocational Education Act, 20 U.S.C. 2441(c), as enacted by Pub. L. 98-524, unless otherwise noted.

SOURCE: 50 FR 33255, Aug. 16, 1985, unless otherwise noted. Redesignated at 57 FR 36771, Aug. 14, 1992.

Subpart A—General

§ 429.1 What is the Bilingual Vocational Materials, Methods, and Techniques Program?

The Bilingual Vocational Materials, Methods, and Techniques Program provides financial assistance for the development of instructional and curriculum materials, methods, or techniques for bilingual vocational training for individuals with limited English proficiency.

(Authority: Sec. 441(c)(1); 20 U.S.C. 2441(c)(1))

§ 429.2 Who is eligible to apply for assistance under this program?

(a) The following are eligible to apply for grants, contracts, or cooperative agreements under this program:

- (1) State agencies.
- (2) Educational institutions.
- (3) Nonprofit organizations.

(b) The following are eligible for contracts under this program:

- (1) Private for-profit organizations.
- (2) Individuals.

(Authority: Sec. 441(c)(1); 20 U.S.C. 2441(c)(1))

Off. of Voc. and Adult Education, Education

§ 429.30

§ 429.3 What regulations apply to this program?

The following regulations apply to the Bilingual Vocational Materials, Methods, and Techniques Program:

(a) The regulations in 34 CFR part 400.

(b) The regulations in this part.

(Authority: Sec. 441(c); 20 U.S.C. 2441(c))

§ 429.4 What definitions apply to this program?

The definitions in 34 CFR 400.4 apply to this program.

(Authority: Sec. 441(c); 20 U.S.C. 2441(c))

Subpart B—What Kinds of Activities Does the Secretary Assist Under This Program?

§ 429.10 What types of projects may be funded?

The Secretary provides assistance through grants, contracts, or cooperative agreements for—

(a) Research in bilingual vocational training;

(b) The development of instructional and curriculum materials, methods, or techniques;

(c) Training projects to familiarize State agencies and training institutions with research findings and with successful pilot and demonstration projects in bilingual vocational education and training; and

(d) Experimental, developmental, pilot, and demonstration projects.

(Authority: Sec. 441(c)(2); 20 U.S.C. 2441(c)(2))

§ 429.11 How does the Secretary establish priorities for this program?

(a) The Secretary may announce, through one or more notices published in the FEDERAL REGISTER, the priorities for this program, if any, from the types of projects described in § 429.10.

(b) The Secretary may establish a separate competition for one or more of the priorities selected. If a separate competition is established for one or more priorities, the Secretary may reserve all applications that relate to

those priorities for review as part of the separate competition.

(Authority: Sec. 441(c)(2); 20 U.S.C. 2441(c)(2))

[50 FR 33255, Aug. 16, 1985. Redesignated at 57 FR 36771, Aug. 14, 1992, and amended at 59 FR 1652, Jan. 12, 1994]

Subpart C—How Does One Apply for a Grant?

§ 429.20 What must an application include?

An application under this part must—

(a) Describe the qualifications of staff responsible for the project; and

(b) Provide that the activities and services for which assistance is sought will be administered by or under the supervision of the applicant.

(Approved by the Office of Management and Budget under control number 1830-0013)

(Authority: Sec. 441(d)(1), (3); 20 U.S.C. 2441(d)(1), (3))

Subpart D—How Does the Secretary Make a Grant?

§ 429.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application for a grant or cooperative agreement on the basis of the criteria in § 429.31.

(b) The Secretary may award up to 100 points, including a reserved 15 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 429.31.

(c) Subject to paragraph (d) of this section, the maximum possible points for each criterion is indicated in parentheses after the heading for each criterion.

(d) For each competition, as announced in a notice published in the FEDERAL REGISTER, the Secretary may assign the reserved 15 points among the criteria in § 429.31.

(Authority: Sec. 441(c), 20 U.S.C. 2441(c))

[50 FR 33255, Aug. 16, 1985. Redesignated at 57 FR 36771, Aug. 14, 1992, and amended at 59 FR 1652, Jan. 12, 1994]

§ 429.31 What selection criteria does the Secretary use?

The Secretary uses the following selection criteria in evaluating each application:

(a) *Need.* (20 points) (1) The Secretary reviews each application for information that shows the need for the proposed services and activities for individuals with limited English proficiency.

(2) The Secretary looks for information that shows—

- (i) Specific evidence of the need; and
- (ii) Specific information about how the need will be met.

(b) *Plan of operation.* (20 points)

(1) The Secretary reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that ensures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(c) *Quality of key personnel.* (20 points)

(1) The Secretary reviews each application for information that shows the qualifications of the key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (c)(2) (i) and (ii)

of this section will commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(3) To determine personnel qualifications, the Secretary considers experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(d) *Budget and cost effectiveness.* (10 points)

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(e) *Evaluation plan.* (10 points)

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

CROSS-REFERENCE: See 34 CFR 75.590 (Evaluation by the grantee).

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(f) *Adequacy of resources.* (5 points)

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(Approved by the Office of Management and Budget under control number 1830-0013)

(Authority: Sec. 441(c); 20 U.S.C. 2441(c))

[50 FR 33255, Aug. 16, 1985; 50 FR 38802, Sept. 25, 1985]

PART 460—ADULT EDUCATION— GENERAL PROVISIONS

Sec.

460.1 What is the purpose of the Adult Education Act?

460.2 What programs are authorized by the Adult Education Act?

460.3 What regulations apply to the adult education programs?

460.4 What definitions apply to the adult education programs?

AUTHORITY: 20 U.S.C. 1201 *et seq.*, unless otherwise noted.

SOURCE: 54 FR 34409, Aug. 18, 1989, unless otherwise noted. Redesignated at 57 FR 24091, June 5, 1992.

§ 460.1 What is the purpose of the Adult Education Act?

The purpose of the Adult Education Act (the Act) is to assist the States to—

(a) Improve educational opportunities for adults who lack the level of literacy skills requisite to effective citizenship and productive employment;

(b) Expand and improve the current system for delivering adult education services, including delivery of these services to educationally disadvantaged adults; and

(c) Encourage the establishment of adult education programs that will—

(1) Enable adults to acquire the basic educational skills necessary for literate functioning;

(2) Provide adults with sufficient basic education to enable them to benefit from job training and retraining programs and obtain and retain productive employment so that they might more fully enjoy the benefits and responsibilities of citizenship; and

(3) Enable adults who so desire to continue their education to at least the level of completion of secondary school.

(Authority: 20 U.S.C. 1201)

§ 460.2 What programs are authorized by the Adult Education Act?

The following programs are authorized by the Act:

(a) Adult Education State-administered Basic Grant Program (34 CFR part 426).

(b) State-administered Workplace Literacy Program (34 CFR part 433).

(c) State-administered English Literacy Program (34 CFR part 434).

(d) State Literacy Resource Centers Program (34 CFR part 464).

(e) National Workplace Literacy Program (34 CFR part 432).

(f) National Workforce Literacy Strategies Program (34 CFR part 473).

(g) National English Literacy Demonstration Program for Individuals of Limited English Proficiency (34 CFR part 435).

(h) Adult Migrant Farmworker and Immigrant Education Program (34 CFR part 436).

(i) National Adult Literacy Volunteer Training Program (34 CFR part 437).

(j) State Program Analysis Assistance and Policy Studies Program (34 CFR part 438).

(k) Functional Literacy for State and Local Prisoners Program (34 CFR part 489).

(l) Life Skills for State and Local Prisoners Program (34 CFR part 490).

(Authority: 20 U.S.C. 1201 *et seq.*)

[54 FR 34409, Aug. 18, 1989. Redesignated and amended at 57 FR 24091, June 5, 1992]

§ 460.3 What regulations apply to the adult education programs?

The following regulations apply to the adult education programs:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs) applies to parts 472, 473, 474, 475, 476, 477, 489, and 490, except that 34 CFR 75.720(b), regarding the frequency of certain reports, does not apply.

(3) 34 CFR part 76 (State-Administered Programs) applies to parts 461, 462, 463, and 464, except that 34 CFR